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REMARKS**Response to Claim Objections**

Claim 45 is objected to by the Examiner because it depends on a claim 44 that has been cancelled. In response, applicants have amended claim 45 by changing "44" to "40".

Response to Claim Rejections Under 35 U.S.C. §102(b)

Claims 40, 42, 43 and 46 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Mohajer (U.S. Pat. No. 5,464,409). In response applicants have amended claim 40 to require a medical instrument to be movably mounted on the guide rail distal to the movable collar to facilitate movement by the movable collar. Moreover, applicants have amended claim 46 and added new claim 54 which calls for the tissue grasping member to be secured to the guide means or rail distal to the movable collar so that the medical instrument can be moved distally over the guide means or rail to the patient's uterine cervix by the movable collar.

The above rejected claims as amended herein contain features which are not taught by the '409 patent, so they cannot be anticipated by this reference. Specifically, with respect to claim 40, the '409 patent fails to teach or suggest use of the device to advance a medical instrument over a guide rail and more specifically fails to teach use of a collar to advance the medical device over the rail. With respect to claim 46 and new claim 54, the '409 patent fails to teach the advancement of a medical device by a collar and also fails to teach or suggest securing the tissue grasping means or member to the guide means or rail distal to the collar.

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Response to Claim Rejections Under 35 U.S.C. §103

Claims 10-13 and 50-53 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Mohajer ('409). However, the '409 patents fails to teach or suggest the features of the independent claims from which the above rejected claims depend.

Claim 41 was rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Mohajer ('409) in view of Hasson (U.S. Pat. No. 5,037,430). Similarly, claim 45 was rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Mohajer ('409) in view of Hasson (U.S. Pat. No. 5,562,680).

Conclusion

The applicants believe that the pending claims are directed to patentable subject matter. Further consideration of the pending claims pursuant to the concurrently filed RCE and an early allowance thereof are earnestly solicited.

Respectfully submitted,

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